

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

ZELLNER McCALISTER, )  
Plaintiff, ) Case No.: 4:20-cv-01700  
v. ) **JURY TRIAL REQUESTED**  
TARGET CORPORATION, ) Removed from Circuit Court of  
Defendant. ) St. Louis County, Missouri

**NOTICE OF REMOVAL**

COMES NOW Defendant, TARGET CORPORATION, by and through its attorneys, BETH C. BOGGS and BOGGS, AVELLINO, LACH & BOGGS, L.L.C., pursuant to 28 U.S.C. Section 1441 and 28 U.S.C. Section 1446, and for its Notice of Removal, states to the Court as follows:

1. This action entitled Zellner McCalister v. Target Corporation was commenced on or about October 15, 2020, in the County of St. Louis, Twenty-First Judicial Circuit Court, State of Missouri.

2. The attached Petition was served on Target Corporation on November 2, 2020.

3. Upon information and belief, Defendant state that Plaintiff is a resident of the State of Missouri, as pled in Plaintiff's Petition, Paragraph 2.

4. Defendant, Target Corporation, is incorporated in the State of Minnesota and has its principal place of business in the State of Minnesota. Thus, for purposes of diversity, Defendant is a citizen of the State of Minnesota.

5. Defendant asserts that complete diversity exists, as Defendant is a citizen of the State of Minnesota and has its principal place of business in the State of Minnesota. See 28 U.S.C. Section 1332(c)(1).

6. This is an action over which this Court has original jurisdiction under the provisions of 28 U.S.C. Section 1332, in that the matter in controversy, exclusive of interest and costs, exceeds the sum of \$75,000.00 and is between citizens of different states. The Plaintiff claims a knee injury from a slip and fall, which Plaintiff claims has required surgery.

7. Plaintiff has incurred medical bills in excess of \$75,000.00.

8. Copies of all processes, pleadings, orders, records, and proceedings in St. Louis County are attached to this Notice of Removal.

9. Defendant has filed this Notice of Removal within 30 days after the service of the Petition, from which it was ascertained that this case was removable.

WHEREFORE, Defendant, TARGET CORPORATION, respectfully requests that this Court acknowledge jurisdiction over this action and allow removal thereto to this Court for determination of all issues involved herein.

**DEFENDANT DEMANDS TRIAL BY JURY**

Respectfully submitted,

**TARGET CORPORATION**

By: /s/ Beth C. Boggs  
Beth C. Boggs, #43089-MO  
BOGGS, AVELLINO, LACH & BOGGS, L.L.C.  
9326 Olive Blvd., Suite 200  
St. Louis, MO 63132  
(314) 726-2310 Telephone  
(314) 726-2360 Facsimile  
[bboggs@balblawyers.com](mailto:bboggs@balblawyers.com)  
**Attorneys for Defendant**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was electronically filed with the Clerk of the United States District Court, Eastern District of Missouri, by using the Court's CM/ECF Electronic Filing System this 1<sup>st</sup> day of December, 2020, with an electronic copy to be served upon the following:

Christopher K. Geldmacher, #48279  
SAUTER • SULLIVAN • LLC  
3415 Hampton Avenue  
St. Louis, MO 63139  
(314) 768-6800 Telephone  
(314) 781-2726 Facsimile  
[cgeldmacher@ss-law.net](mailto:cgeldmacher@ss-law.net)  
**Attorney for Plaintiff**

Patricia A. Goake